



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: March 23, 2022

Common Council Meeting Date: April 6, 2022

Item: Extraterritorial Final Plat – Auburn Estates – Town of Grand Chute

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner: M & E Investments Fox Valley, LLC and Geraldine A. Schroeder Irrevocable Trust

Applicant: Cypress Homes, Inc. c/o Shannon Meyer

Address/Parcel #: Generally located east of McCarthy Road and north of Capitol Drive in the Town of Grand Chute – Tax Id #101026002, #101026001, and #101026100

Petitioner's Request: The applicant is proposing to subdivide property under the Town's RSF Single-Family Residential District. The area is 35.41 acres in size and would be divided into 27 lots and one outlot.

BACKGROUND

The subject area is within the City's extraterritorial plat approval jurisdiction, which includes the unincorporated area within three miles of the City, as described in the Subdivision Ordinance. The Preliminary Plat was approved by Common Council on October 20, 2021. The Final Plat must also be reviewed and approved by the Town of Grand Chute and Outagamie County. This item is on track to go to the Town Board on May 3, 2022, and it has not yet appeared before the County Zoning Committee.

STAFF ANALYSIS

Existing Conditions: The majority of the property consists of undeveloped land located in the Town of Grand Chute, east of McCarthy Road. According to the Final Plat map, delineated wetlands exist on the south end of the site, and some existing barns and other accessory buildings will be removed. Access to the development would be obtained from McCarthy Road and extensions of Rose Meadow Lane and Cobble Creek Drive.

Comparison between Final Plat and Preliminary Plat: The Preliminary Plat covered a larger area (38.09 acres), but two previously developed parcels along McCarthy Road are no longer included, resulting in a slightly smaller area for the Final Plat (35.41 acres). However, the Final Plat is generally consistent with the Preliminary Plat layout in terms of the shape, size, and location of the lots.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the Town of Grand Chute, and the nearby uses are generally residential and agricultural in nature. The surrounding zoning is the Town's RSF Single-Family Residential District and AGD General Agricultural District.

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Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed the City of Appleton's *Comprehensive Plan 2010-2030* and determined this proposed subdivision is outside the City's future growth area.

Review Criteria: Community and Economic Development staff has reviewed the Extraterritorial Final Plat in accordance with the City of Appleton Subdivision Ordinance, as well as Zoning Ordinance requirements for single-family residential developments. The proposed lots range in size from 43,560 square feet to 65,995 square feet. Typical lot dimensions are 168 feet by 260 feet. The lot sizes and lot widths for the proposed lots in this Town of Grand Chute subdivision exceed minimum City of Appleton Zoning Ordinance requirements.

Additional Comments: Several issues do not impact the City, but may warrant consideration from the Town of Grand Chute and/or Outagamie County:

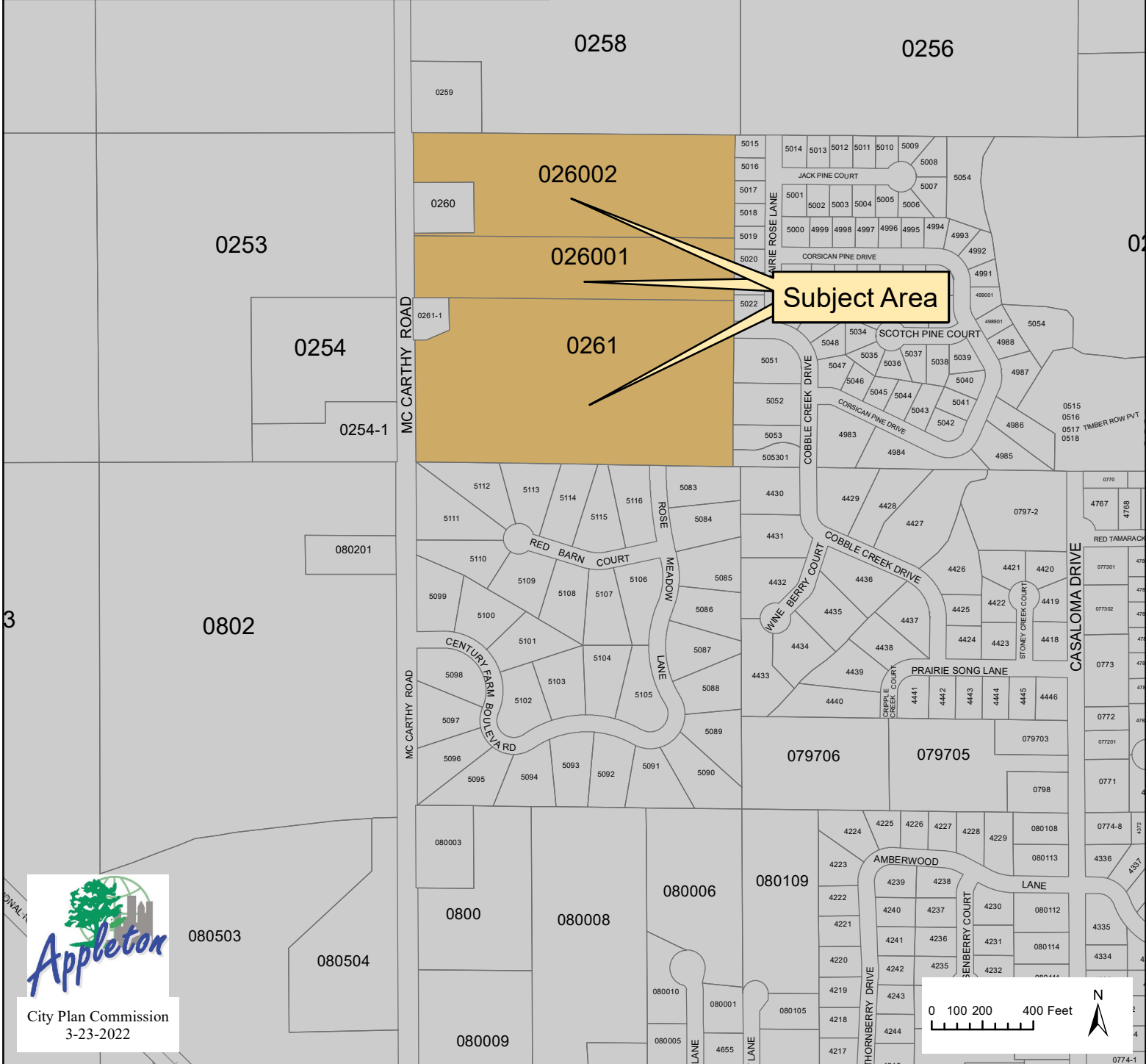
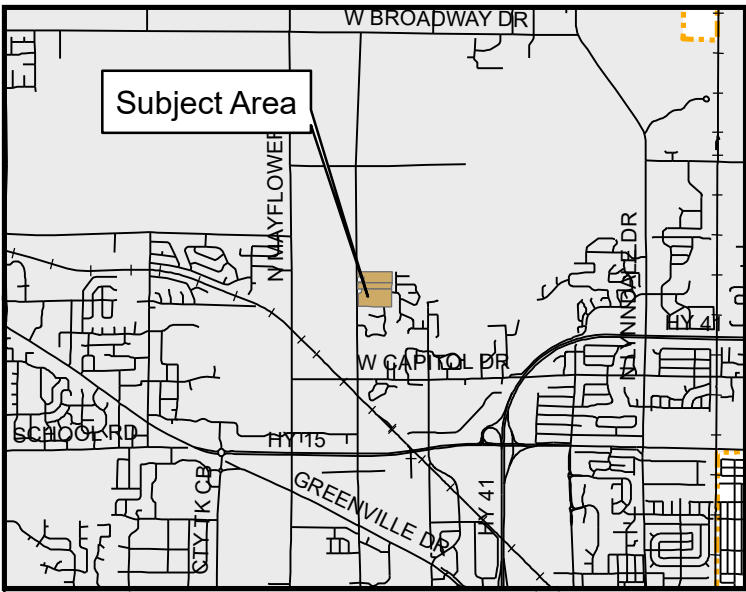
- Cypress Homes, Inc. is listed under the Owner's Certificate, but based on Outagamie County GIS data, they are not the current owner of the property. On sheet 2, document numbers are missing under the recording information notes. Once recorded, deed document numbers transferring ownership to Cypress Homes, Inc. need to be included.
- There are several blanks throughout sheets 1 and 2 pertaining to a Certified Survey Map that has not yet been recorded. Once recorded, these blanks need to be filled in.
- Rose Meadow Lane and Cobble Creek Drive are extensions of existing roadways. The street name Pebble Creek Court does not meet the City's one-word street name standard and exceeds 10 characters in length.

Technical Review Group (TRG) Report: This item appeared on the March 1, 2022 TRG agenda. No negative comments were received from participating departments.

RECOMMENDATION

Based on the above, staff recommends that the Extraterritorial Final Plat – Auburn Estates located in the Town of Grand Chute, as shown on the attached maps, **BE APPROVED**.

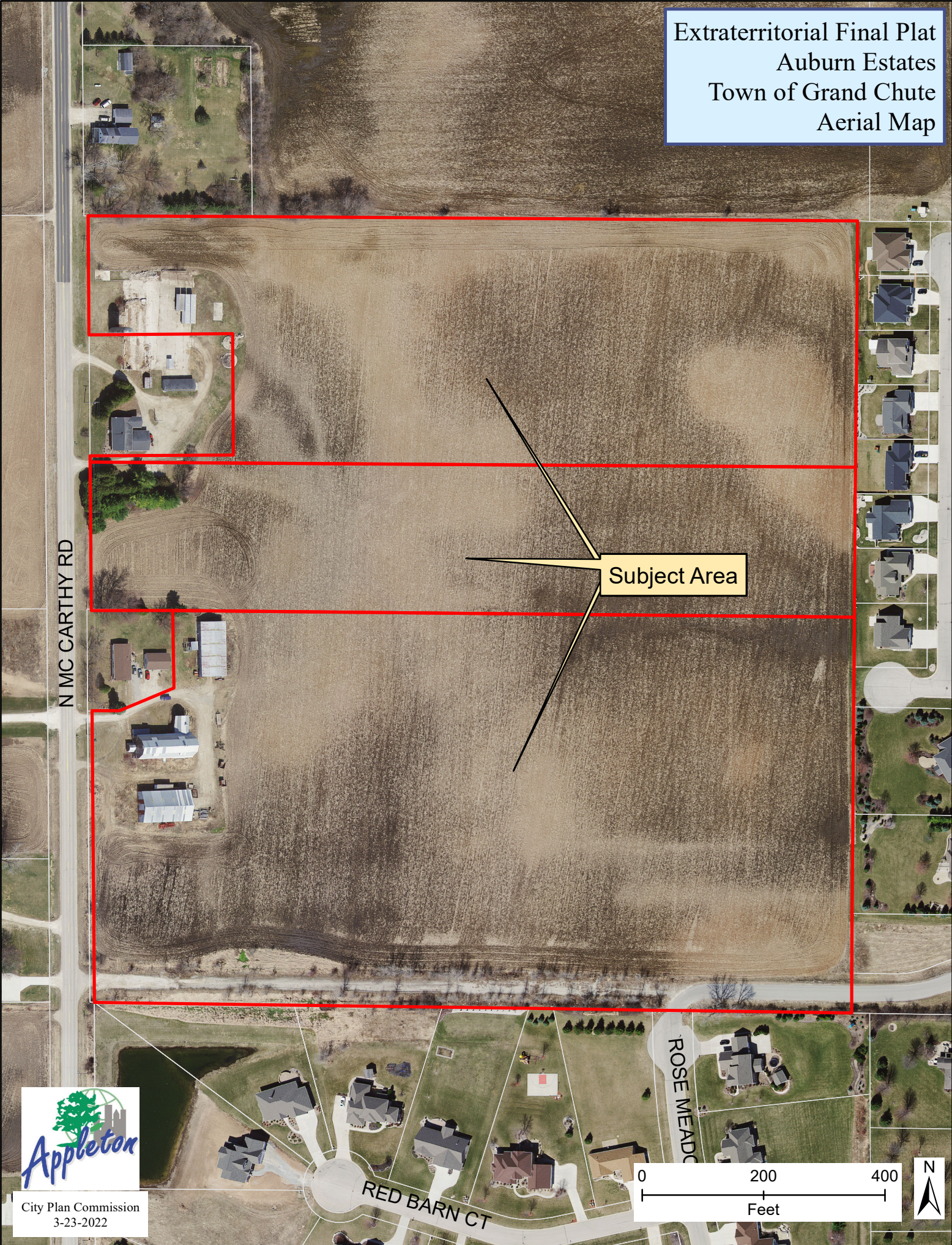
Extraterritorial Final Plat
Auburn Estates
Town of Grand Chute
Vicinity Map



City Plan Commission
3-23-2022



Extraterritorial Final Plat
Auburn Estates
Town of Grand Chute
Aerial Map



N MC CARTHY RD

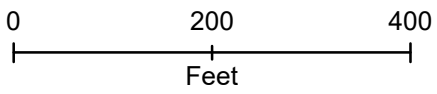
Subject Area

ROSE MEADOW

RED BARN CT



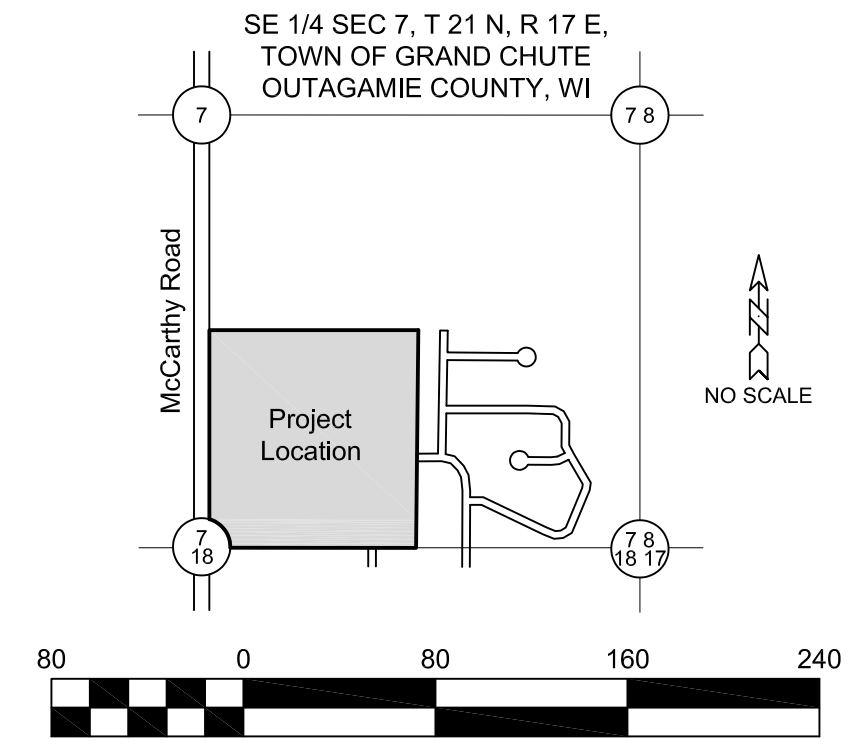
City Plan Commission
3-23-2022



Auburn Estates

All of Lot 2 Certified Survey Map 8232 and all of Lot 2 of Certified Survey Map 5575 and all of Lot 1 Certified Survey Map _____, all being part of the Southwest 1/4 of the Southeast 1/4 of Section 07, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin

LOCATION MAP



Bearings are referenced to the South line of the Southeast 1/4, Section 07, T21N, R17E, assumed to bear N89°10'47\" W, base on the Outagamie County Coordinate System.

Special Town of Grand Chute Restriction

The final plat is subject to all of the requirements of § 475-15E of the Code of the Town of Grand Chute. The subdivider, for himself and his assigns, shall be responsible for all municipal improvements, including asphalt surface streets, graveled road shoulders or curb and gutter, sewer and water, sewer lift stations, storm sewers, dedicated clear water drainage easements, and streetlighting. Pursuant to § 475-15E of the Code of the Town of Grand Chute, the Town of Grand Chute reserves the right to withhold building permits for this subdivision if the above-stated municipal improvements have not been completed by the subdivider according to the terms and conditions of § 475-15E. Utility Connection Fees (as listed on the Town Fee Schedule) for sewer, water and storm services shall be payable by each lot within the platted subdivision to the Town of Grand Chute Sanitary Districts. A special streetlighting charge, in accordance with the procedures listed under § 57-21, Special charges for current services, shall be assessed annually to property owners of each buildable lot within the subdivision for the energy and facility maintenance costs of streetlighting within the Town. Any costs due to streetlighting in excess of the standards within the Street Lighting Policy, as requested by the subdivider or property owners, shall be assessed directly to the abutting property owners.

Impact Fee Note

There is an impact fee due on each lot in accordance with Chapter 330 Impact Fees of the Town Code of Ordinances and as listed on the most current Town of Grand Chute Impact Fee Schedule.

Lot Grading, Staking and Easements

- The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
- Each lot owner shall grade the property to conform to the lot line grades established by the drainage plan for White Hawk Meadows North. It is the responsibility of the lot owner to comply with these established elevations.
- No poles, pedestals, transformers or buried cable are to be placed within two (2) feet of any survey stake, or placed so as to obstruct vision along any lot line or street line. Any disturbance of a survey stake by any person is a violation of § 236.32 Wis. Stats.
- Utility easements as herein set forth are for the use of public bodies and private utility providers having the right to serve the area.

Stormwater Facility Maintenance Note

Maintenance of all drainage ways, including easements as indicated on the plat and along side and rear lot lines that convey stormwater runoff in accordance with the approved Drainage Plan, and associated structures within the land division or serving the land division, is the sole responsibility of the property owners of the land division, unless noted on the plan. Upon failure of property owners to perform maintenance of the drainage ways and associated structures within the land division or serving the land division, the Town of Grand Chute and/or Outagamie County retains the right to perform maintenance and/or repairs. The payment of the maintenance and repairs shall be assessed in equal amounts to the owners of all property within the land division, or, where the causer can be specifically identified, the payment shall be assessed to a specific property owner.

Unless otherwise noted, a drainage easement exists upon all existing navigable streams, between the meander lines as shown.

No structures, fences or plantings other than grasses shall be allowed within the drainage easements herein set forth.

Notes:

- All linear measurements have been made to the nearest one hundredth of a foot.
- All angular measurements have been made to the nearest 20 seconds and computed to the nearest half seconds.
- An airport zoning permit is required to develop each lot within the plat in Airport Zone 3 and 3A. Maximum lot coverage of 50%.
- Wetland shown per Wetland Delineation Report dated June 15th 2021, prepared by Stacy E. Jepsen, of Cedar Corporation.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



File: 6691Final.dwg
Date: 02/11/2022
Drafted By: Jim
Sheet: 1 of 2
Revision Date: Feb 11, 2022



DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors
1164 Province Terrace, Menasha, WI 54952
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Auburn Estates

All of Lot 2 Certified Survey Map 8232 and all of Lot 2 of Certified Survey Map 5575 and all of Lot 1 Certified Survey Map _____, all being part of the Southwest 1/4 of the Southeast 1/4 of Section 07, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin

Surveyor's Certificate

I, James R. Sehloff, Professional Land Surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Town of Grand Chute and Outagamie County, and under the direction of Cypress Homes, Inc., owner of said land, I have surveyed divided and mapped Auburn Estates; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is all of Lot 2 Certified Survey Map 8232, recorded as Document No. 2254280, and all of Lot 2 of Certified Survey Map 5575, recorded as Document No. 1746610, and all of Lot 1 Certified Survey Map _____, recorded as Document No. _____, all being part of the Southwest 1/4 of the Southeast 1/4 of Section 07, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 1,542,388 Square Feet (35.4084 acres) of land, more or less, subject to all easements, and restrictions of record.

Given under my hand this _____ day of _____, _____.

James R. Sehloff, Wisconsin Professional Land Surveyor No. S-2692

Owner's Certificate

Cypress Homes, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

Cypress Homes, Inc., does further certify this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Outagamie County Planning and Zoning Committee
Town of Grand Chute
City of Appleton
Department of Administration

Dated this _____ day of _____, 20____.

In the presence of: Cypress Homes, Inc.

Shannon Meyer, President

State of Wisconsin

_____ County) ss

Personally came before me this _____ day of _____, 20____, the above owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

My Commission Expires _____

Notary Public, Wisconsin.

Utility Easement Provisions

An easement for electric and communications service is hereby granted by Cypress Homes, Inc., grantors, to:

WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies. Grantee
SBC, Grantee
and
Time Warner Cable, Grantee

Grantees, their respective successors and assigns, to construct, install operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy for such purposes as the same is now and may hereafter be used and for sounds and signals, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electrical facilities or communication facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Buildings shall not be placed over Grantees facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of the Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without the written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Cypress Homes, Inc.

Shannon Meyer, President Date _____

Town Board Approval Certificate

Resolved, that the plat of Auburn Estates in the Town of Grand Chute, Outagamie County, Cypress Homes, Inc., owner, is hereby approved by the Town Board of the Town of Grand Chute.

Chairman _____ Date _____

I hereby certify that the foregoing plat was approved by the Town Board of the Town of Grand Chute on the _____ day of _____, 20____.

Clerk _____ Date _____

County Planning Agency Approval Certificate

Resolved, that the plat of Auburn Estates in the Town of Grand Chute, Outagamie County, Cypress Homes, Inc., owner, is hereby approved by Outagamie County.

County Zoning Administrator _____ Date _____

Treasurer's Certificate

We, being the duly elected, qualified and acting Treasurer's of the Town of Grand Chute and Outagamie County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

Town Treasurer _____ Date _____

County Treasurer _____ Date _____

Mortgagee's Certificate

Wolf River Community Bank, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, Mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat, and does hereby consent to the above certificate of Cypress Homes, Inc., owner.

IN WITNESS WHEREOF, the said Wolf River Community Bank, has caused these presents to be signed by

_____, its President, and countersigned by

_____, its Secretary or Cashier, at _____, Wisconsin, and its corporate seal

to be hereunto affixed this _____ day of _____, 20____.

In the presence of: Wolf River Community Bank

President _____ Date _____

Secretary or Cashier _____ Date _____

State of Wisconsin

_____ County) ss

Personally came before me this _____ day of _____, 20____.

_____, President, and _____, Secretary (cashier) of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary (cashier) of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

My Commission Expires _____

Notary Public, Wisconsin

City of Appleton Approval (Extraterritorial)

Resolved, that the plat of Auburn Estates in the Town of Grand Chute, Outagamie County, Cypress Homes, Inc., owner, is hereby approved by the Common Council of the City of Appleton.

Mayor _____ Date _____

I hereby certify that the foregoing is a copy of a resolution adopted by the the Common Council of the City of Appleton.

Clerk _____ Date _____

This Final Plat is contained wholly within the property described in the following recorded instruments:

The property owner of record:	Recording Information:	Parcel Number(s):
Cypress Homes, Inc.	Doc No. _____	101026002 (Lot 2 CSM 8232)
	Doc No. _____	101026001 (Lot 2, CSM 5575)
	Doc No. _____	1010261__ (Lot 1 CSM ____)

CURVE TABLE							
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	317.00'	S 77°54'35" E	126.25'	127.10'	22°58'20"	S 89°23'45" E	S 66°25'25" E
C2	1533.00'	N 67°39'35" W	66.14'	66.15'	2°28'20"	N 68°53'45" W	N 66°25'25" W
C3	183.00'	S 10°14'15" W	61.25'	61.54'	19°15'59"	S 19°52'14" W	S 00°36'15" W
C4	60.00'	S 89°23'45" E	66.00'	307.11'	293°15'58"	S 57°14'14" W	N 56°01'44" W
C5	60.00'	S 09°29'31" W	88.82'	100.00'	95°29'25"	S 57°14'14" W	S 38°15'12" E
C6	60.00'	S 82°01'53" E	83.02'	91.69'	87°33'22"	S 38°15'12" E	N 54°11'26" E
C7	60.00'	N 00°55'09" W	98.43'	115.42'	110°13'10"	N 54°11'26" E	N 56°01'44" W
C8	117.00'	N 10°14'15" E	39.16'	39.34'	19°15'59"	N 00°36'15" E	N 19°52'14" E
C9	1533.00'	S 79°41'25" E	444.05'	445.62'	16°39'18"	S 71°21'46" E	S 88°01'04" E
C10	1533.00'	S 74°53'37" E	188.81'	188.93'	7°03'41"	S 71°21'46" E	S 78°25'27" E
C11	1533.00'	S 83°13'16" E	256.39'	256.69'	9°35'37"	S 78°25'27" E	S 88°01'04" E
C12	1533.00'	S 00°36'29" W	10.99'	10.99'	0°24'39"	N 00°48'49" E	N 00°24'10" E
C13	1467.00'	N 00°35'56" E	11.00'	11.00'	0°25'47"	N 00°23'02" E	N 00°48'49" E
C14	183.00'	N 38°03'23" W	229.69'	248.30'	77°44'24"	N 00°48'49" E	N 76°55'35" W
C15	183.00'	N 03°02'39" W	24.62'	24.64'	7°42'56"	N 00°48'49" E	N 06°54'07" W
C16	183.00'	N 20°40'30" W	87.14'	87.98'	27°32'46"	N 06°54'07" W	N 34°26'53" W
C17	183.00'	N 48°13'16" W	87.14'	87.98'	27°32'46"	N 34°26'53" W	N 61°59'39" W
C18	183.00'	N 69°27'37" W	47.56'	47.69'	14°55'56"	N 61°59'39" W	N 76°55'35" W
C19	67.00'	N 38°16'09" W	83.70'	90.41'	77°18'52"	N 76°55'35" W	N 00°23'17" E
C20	133.00'	N 38°16'09" W	166.16'	179.47'	77°18'52"	N 76°55'35" W	N 00°23'17" E
C21	133.00'	S 19°39'54" E	91.21'	93.10'	40°06'23"	S 39°43'05" E	S 00°23'17" W
C22	133.00'	S 58°19'20" E	84.86'	86.37'	37°12'29"	S 76°55'35" E	S 39°43'05" E
C23	117.00'	S 38°03'23" E	146.85'	158.75'	77°44'24"	N 76°55'35" W	N 00°48'49" E
C24	1467.00'	S 77°11'40" E	548.31'	551.55'	21°32'30"	S 66°25'25" E	S 87°57'55" E
C25	1467.00'	N 82°30'43" W	278.83'	279.25'	10°54'24"	N 77°03'31" W	N 87°57'55" W
C26	1467.00'	N 71°44'28" W	271.91'	272.30'	10°38'06"	N 66°25'25" W	N 77°03'31" W
C27	383.00'	N 77°54'35" W	152.53'	153.56'	22°58'20"	S 66°25'25" E	S 89°23'45" E

LINE TABLE		
Line	Bearing	Length
L2	S 19°52'14" W	24.90'
L3	N 19°52'14" E	24.90'
L4	S 13°25'40" E	114.33'
L5	N 87°51'15" E	117.29'
L6	S 65°35'03" E	45.57'
L7	S 44°39'01" E	38.89'
L8	S 74°51'01" E	34.12'
L9	N 89°33'11" E	58.44'

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Drafted By: Jim
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Certified _____, 20____
Department of Administration